



January 20, 2004 CPC
February 25, 2004 BS

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

04SN0181

Robert C. Maddux

Matoaca Magisterial District
South line of Hull Street Road

REQUEST: Amendment to a previously granted zoning (Case 89SN0179) relative to permitted uses and density. Specifically, an amendment to Proffered Condition 1 is proposed to permit furniture sales and Proffered Condition 3 which limits individual tenant space size is proposed to be deleted.

PROPOSED LAND USE:

A mattress sales store is proposed, however, other uses permitted by Proffered Condition 1 of Case 89SN0179 would also be permitted.

PLANNING COMMISSION RECOMMENDATION

RECOMMEND APPROVAL AND ACCEPTANCE OF THE PROFFERED CONDITIONS ON
PAGE 2.

STAFF RECOMMENDATION

Recommend approval for the following reasons:

- A. While the Upper Swift Creek Plan suggests the request property and surrounding area is appropriate for mixed use corridor use which includes corporate office, multifamily residential and neighborhood commercial and convenience uses, the majority of the property has already been developed with commercial uses similar in intensity to the proposed use.

- B. Improvements to the property will be realized through this amendment and acceptance of the proffered conditions.

(NOTE: THE ONLY CONDITION THAT MAY BE IMPOSED IS A BUFFER CONDITION, HOWEVER, THE APPLICANT MAY PROFFER OTHER CONDITIONS. THE CONDITIONS NOTED WITH "STAFF/CPC" WERE AGREED UPON BY BOTH STAFF AND THE COMMISSION. CONDITIONS WITH ONLY A "STAFF" ARE RECOMMENDED SOLELY BY STAFF. CONDITIONS WITH ONLY A "CPC" ARE ADDITIONAL CONDITIONS RECOMMENDED BY THE PLANNING COMMISSION.)

PROFFERED CONDITIONS

- (STAFF/CPC) 1. Furniture sales shall be permitted. (P)

(Note: This condition is in addition to Proffered Condition 1 of Case 89SN0179. With the approval of this request, Proffered Condition 3 of Case 89SN0179 shall be deleted.)

- (STAFF/CPC) 2. Architectural appearance of the proposed building addition, including modifications to the existing building, shall accomplish a consistent overall design using similar colors, materials and application that address the rooftop equipment screening and upgrade the existing building to be compatible with the architecture of Harbour Pointe Shopping Center and/or the Japanese restaurant within the project. (P)

GENERAL INFORMATION

Location:

South line of Hull Street Road, east of Deer Run Drive. Tax IDs 728-673-8137 and 8740 (Sheet 15).

Existing Zoning:

Neighborhood Business (C-2)

Size:

1.0 acre

Existing Land Use:

Commercial (Virginia Paint Company)

Adjacent Zoning and Land Use:

North - C-3; Commercial
South - R-12; Single family residential or vacant
East - C-2; Commercial
West - O-2; Office

UTILITIES, ENVIRONMENTAL AND PUBLIC FACILITIES

This request will have no impact on these facilities.

LAND USE

Comprehensive Plan:

The Upper Swift Creek Plan suggests the request property and surrounding area is appropriate for mixed use corridor use which includes corporate office, multifamily residential and neighborhood commercial and convenience uses.

Area Development Trends:

Adjacent properties to the north and east are zoned Community Business (C-3) and Neighborhood Business (C-2) and are occupied by commercial uses or are vacant. Properties to the south are zoned Residential (R-12) and are occupied by single family residential use within the Deer Run Subdivision or are vacant. Adjacent property to the west is zoned Corporate Office (O-2) and is occupied by office use or is vacant. It is anticipated that a mix of office, multifamily residential and neighborhood commercial uses will continue in the area in accordance with the Plan.

Zoning History:

On September 27, 1989, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved rezoning of the request property from Agricultural (A) to Convenience Business (B-1) (Case 89SN0179). This approval was subject to a buffer condition and acceptance of proffered conditions relative to hours of operation, a buffer along the southern boundary, uses and a limit on tenant space size and number permitted.

On August 28, 1991, the Board of Supervisors, upon a favorable recommendation from the Planning Commission, approved an amendment to the previous zoning (Case 89SN0179) to permit radio, television and other home entertainment sales and service in addition to those uses permitted by the previous case. (Case 91SN0224)

Current Proposal:

With this request the applicant proposes to add furniture sales as a permitted use and to delete Proffered Condition 3 of Case 89SN0179 which limits individual tenant space size.

Uses:

With the approval of this request, furniture sales would be permitted in addition to those uses permitted by the previous cases. (Proffered Condition 1)

Site Design:

The request property lies within an Emerging Growth District Area. The Zoning Ordinance specifically addresses access, parking, landscaping, setbacks, signs, buffers, utilities, architectural treatment and screening. The purpose of the Emerging Growth District Standards is to promote high quality, well-designed projects. Development of the request property will be subject to the requirements of the Emerging Growth District Area, except as otherwise established for architecture as discussed herein.

Architecture:

Proffered Condition 2 requires the architectural appearance of the proposed building addition, including modifications to the existing building, to accomplish a consistent overall design using similar colors, materials and application that address the rooftop equipment screening and upgrade the existing building to be compatible with the architecture of Harbour Pointe Shopping Center and/or the Japanese restaurant within the project. This will result in visual improvements to the property which would not be realized if this request is not approved.

CONCLUSIONS

While the Upper Swift Creek Plan suggests the request property and surrounding area is appropriate for mixed use corridor use, which includes corporate office, multifamily residential and neighborhood commercial and convenience uses, the majority of the property has already been developed with commercial uses similar in intensity to the proposed use.

Improvements to the property will be realized through this amendment and acceptance of Proffered Condition 2 which provides that, with the proposed building addition, modifications to the existing building will be incorporated to achieve overall compatibility with specific surrounding developments.

Given these considerations, approval of this request is recommended.

CASE HISTORY

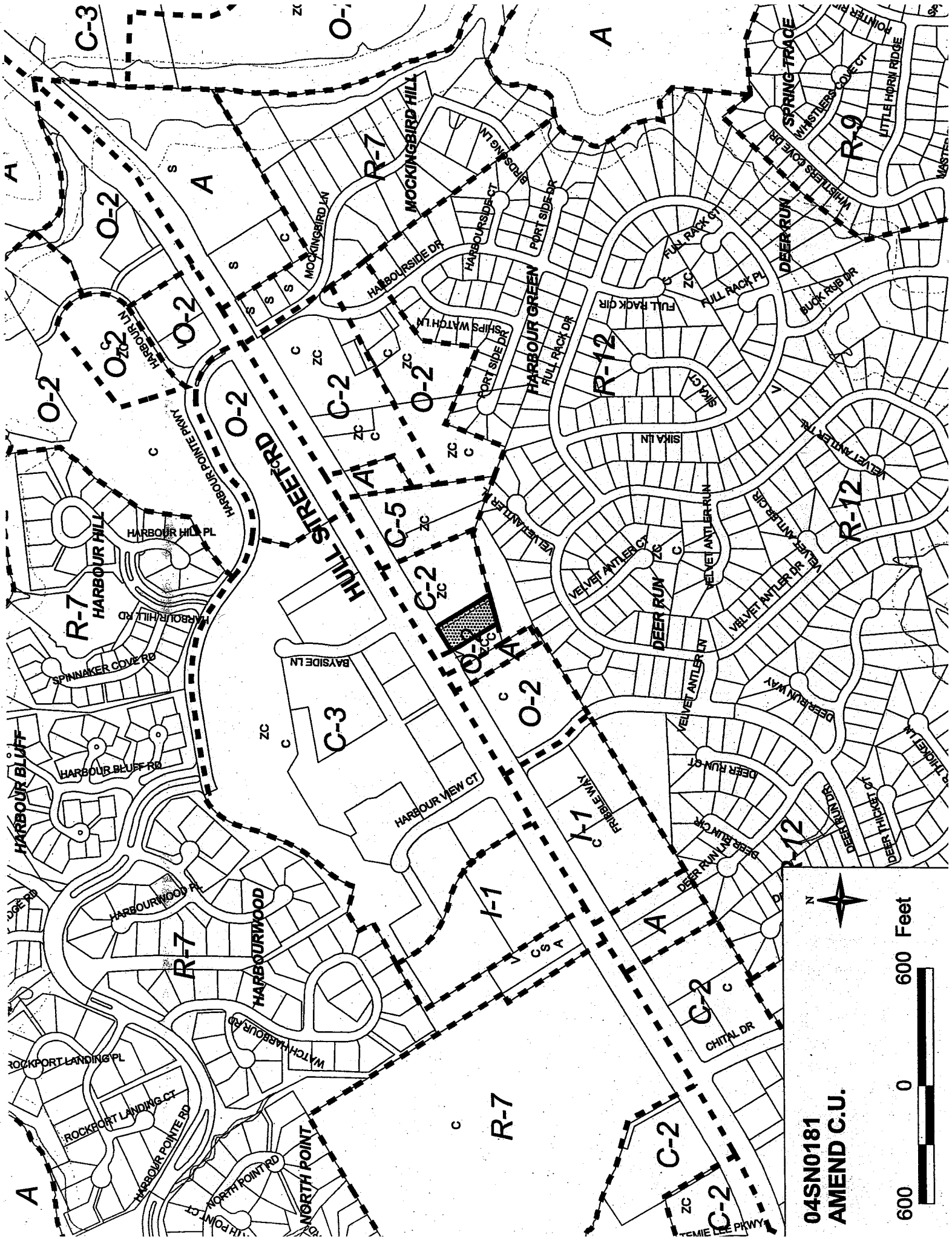
Planning Commission Meeting (1/20/04):

The applicant accepted the recommendation. One (1) person spoke in support of the request.

On motion of Mr. Bass, seconded by Mr. Litton, the Commission recommended approval of this request and acceptance of the proffered conditions on page 2.

AYES: Unanimous.

The Board of Supervisors, on Wednesday, February 25, 2004, beginning at 7:00 p.m., will take under consideration this request.



04SN0181
AMEND C.U.

